UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,144	03/31/2005	Bart Provoost	2003P00249WOUS	2964

7590 04/09/2007		EXAMINER
Siemens Corporation		WONG, JOSEPH D
Intellectual Property Department		
170 Wood Avenue South	ART UNIT	PAPER NUMBER
Iselin, NJ 08830	2168	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	10/530,144	PROVOOST, BART
	Examiner	Art Unit
	Joseph D. Wong	2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *31 March 2005*.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *17-35* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *17-35* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date *20050331*.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 17-35 are rejected for being directed towards nonstatutory subject matter.

Claim 17 is directed to a "method for setting up and updating a user interface".

This claimed subject matter lacks a practical application of a judicial exception (abstract idea) since fails to produce a useful, concrete and tangible result.

Specifically, the claimed subject matter does not produce a tangible result because the claimed subject matter fails to produce a result that is limited to having real world value rather than a result that may be interpreted to be abstract in nature as, for example, a thought, a computation, or manipulated data. More specifically, the claimed subject matter provides for "displaying a page" which can be abstract. Page 23 of the Interim Guidelines directs the examiner to identify the abstraction which occurs because a page is inclusive a disembodied container of information, a boundary in virtual memory. a blank piece of paper, or recollected as a mental thought. The Interim Guidelines further directs the examiner explain why the claim covers every substantial practical application thereof because the claim body does not positively recite a specific practical application. The claim appears to foreclose from others the use of the information pages in conjunction with all of the other steps in the claimed process as evidenced by the examiner using a user interface to search for pre-grant publication pages for the instant patent application, selecting said claim page, and displaying the claim page.

Claim 34 is directed to a "method for setting up and updating a user interface".

This claimed subject matter lacks a practical application of a judicial exception (abstract idea) since fails to produce a useful, concrete and tangible result.

Specifically, the claimed subject matter does not produce a tangible result because the claimed subject matter fails to produce a result that is limited to having real world value rather than a result that may be interpreted to be abstract in nature as, for example, a thought, a computation, or manipulated data. More specifically, the claimed subject matter provides for an "generating" which can be interpreted to include mere originating instead of creating. It also provides for "determining" and "comparing" but since these actions are not stored upon an article or communicated to another—they stop short of positively reciting the tangible result.

Claim 35 is directed to an "arrangement for setting up and updating an user interface".

An arrangement is not one of the four statutory categories. The claim provides for an INTENDED USES but does not otherwise positively recite the practical application of results that appear abstract lacking real world value.

Applicant can look to MPEP 2106.01-2106.02 (August 2006), Interim Guidelines, and contemporary case law with a matching fact pattern for further suggestions that may be helpful in overcoming these rejections.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 17-35 are rejected under 35 U.S.C. 102(a) as being anticipated by Epixtech, "iPAC System Administrator's Guide", 9 Jan. 2002, Version 2.0, Epixtech Inc.

Regarding claim 17, Epixtech teaches a method for setting up and updating a user interface for a user to access information pages (interpreted to include "web pages", P. 1-9, bullet #5) in a data network (interpreted to include "internet", P. 3-91), wherein selected information pages are provided by a respective display element on the user interface (interpreted to include "Internet Explorer", P. 3-90, P. 1-12, Fig) for access by the user (P. 1-3, [1]), and the information pages are respectively accessed by accessing the respective display element (P. 1-12, Fig.), and wherein the information pages store contents (), the method comprising: creating a respective associated content data record for the information pages (P. 1-12, Fig., Results #1-3), the associated content data record stores features describing the respective content stored on the respective information page (interpreted to include the "checked out", P. 4-116); creating a user data record having features which describe a sought content for determining the selected information pages(interpreted to include "Index Wizard", P. 3-63, #7); comparing the content data records respectively with the user data records to determine a degree of match (interpreted to include "user-defined limit", P. 1-12, [2]); and displaying such information pages (P. 1-12) for which the degree of match between the respective content data record and the user data record achieves and/or exceeds a previously defined threshold on the user interface by display elements as selected information pages (interpreted to include "pre-defined limits", P. 3-43, 3-44).

Regarding claim 18, Epixtech teaches the method as claimed, wherein the selected

information pages are checked cyclically for their accessibility (P. 2-3), and wherein in cases in

which one of the information pages checked can no longer be accessed the display element for

this information page is removed from the user interface (P. 1-12, [1-2]; P. 3-37).

Regarding claim 19, Epixtech teaches the method as claimed, wherein the comparison is

repeated at intervals of time (P. 2-3, Fig. right most caption), and wherein the result of the

repeated comparison is used to update the user interface (P. 3-96).

Regarding claim 20, Epixtech teaches the method as claimed, wherein the user data

record is updated (P. 3-7, Fig.), wherein after the update the comparison is performed again

("Refine", P. 4-62), and wherein the new comparison result is used to determine the selected

information pages again (P. 3-45, #2).

Regarding claim 21, Epixtech teaches the method as claimed, wherein the content data

records are acquired by interrogating a database containing content data records (P. 1-12, [3])

and/or by means of a search. ("Refine Search", P. 4-62)

Regarding claim 22, Epixtech teaches the method as claimed, wherein the acquired

content data records are stored and used for the comparison with the user data record. (P. 1-18,

Fig, Line 1 and #3)

Regarding claim 23, Epixtech teaches the method as claimed, wherein each content data record and the user data record are respectively created as a structured document, and wherein the content data record comprises the address of its associated information page. (P. 1-17, Last 5 lines; P. 1-18, Fig.)

Regarding claim 24, Epixtech teaches the method as claimed, wherein each content data record and the user data record are created in XML format (P. 3-93, [1-2]), and wherein the structure of the content data records and of the user data record is respectively stipulated in a description data record. (P. 4-126, table last row, #2, first bullet)

Regarding claim 25, Epixtech teaches the method as claimed, wherein the same respective structure is used for the content data records (e.g. "Search", P. 1-11) and for the user data record (e.g. "My Account", P. 1-15). (P 1-18)

Regarding claim 26, Epixtech teaches the method as claimed, wherein the same respective structure is used for the content data records and for the user data record. (P. 1-12, bottom Fig.)

Regarding claim 27, Epixtech teaches the method as claimed, wherein the most selected information page (P. 3-103, Row 3, Col. 2) is displayed at a prioritized or prominent position (see top center "Search", P. 1-12, Fig.) on the user interface.

Regarding claim 28, Epixtech teaches the method as claimed, wherein the selected

information page whose associated content data record has the best match with the user data

record is displayed at a prioritized (P. 4-57, top table, Row 5, Col 1) or prominent position on

the user interface. (see "1879 Browsing results matching shakespeare", P. 1-12)

Regarding claim 29, Epixtech teaches the method as claimed, wherein the information

pages used are web pages (e.g. "visit their site on the Web at...http://codi.sbu.edu", P. 1-7, bullet

#6), wherein the web pages can be accessed using addresses associated therewith (P. 1-7, bullet

#6), wherein the web pages and the content data records are stored on at least one web server (P.

1-3, [4-5]), and wherein the content data records are retrieved using data record addresses which

are respectively associated therewith. (interpreted to include "123.123.123.123", P. 1-6)

Regarding claim 30, Epixtech teaches the method as claimed, wherein the user interface

used is an information page in the form of a portal page, and wherein the portal page is provided

by a portal server. (interpreted to include "search other libraries databases" or "protocol that lets

users connect to and search library catalog of a remote location", P. 3-51; P. A-6)

Regarding claim 31, Epixtech teaches the method as claimed, wherein a proxy server is

used in the data network (P. 3-23, Col. 2, Row 4), wherein the proxy server reads in the

information pages whose associated addresses are transmitted to it, and wherein the proxy server

buffers the information pages which have been read in and sends them to the user. (P. 4-71, #1,

table, Row 3, Col. 1)

Regarding claim 32, Epixtech teaches the method as claimed, wherein the display

elements of the selected information pages are each in the form of a link which is linked to the

address of the respective selected information page, wherein the address of the associated

information page is transmitted to the proxy server (P. 3-23, Col. 2, Row 4) when accessing the

link, and wherein the proxy server loads this information page and sends it to the user. (P. 3-7)

Regarding claim 33, Epixtech teaches the method as claimed, wherein transmitting the

information page to the proxy server (P. 3-23, Col. 2, Row 4) involves the data record address of

the content data record associated with this information page likewise being transmitted to the

proxy server, wherein the proxy server transmits this data record address to the user interface,

and wherein the user interface loads the content data record associated with this data record

address and stores it for the comparison. (P. 1-7, bullet#4)

Regarding claim 34, Epixtech teaches a method for setting up and updating a user

interface (interpreted to include "set up iPac so that your users can search", P. 1-23, Lines 15-30)

for accessing information pages in a data network (interpreted to include "IP address", P. 1-33,

Table, Col. 2, Row 2), wherein an information page is provided by a display element on the user

interface (interpreted to include "Password dialog box", P. 1-18, Fig.), wherein the information

page is accessed by accessing the display element (interpreted to include "OK" button, P. 1-18,

Fig.), and wherein the information page stores contents (interpreted to include "Save this

password", P. 1-18, Fig), the method comprising: generating an associated content data record

for the information page (interpreted to include "●●●●●●", P. 1-18, Fig.), the associated content

data record describing the content of the information page (interpreted to include "iPac displays

the Administration tool", P. 1-18, #4); determining the information page by creating a user data

record (interpreted to include "sysadmin", P. 1-18, Fig.) having features which describe contents

to be sought (interpreted to include "Password:", P. 1-18, Fig.) ; comparing the content data

record with the user data record to determine the degree of correlation (interpreted to include

"Verify Password", P. –1-20, Table, Col. 1, Row, 4), wherein such information page for which

the degree of correlation between the content data record and the user data record achieves

and/or exceeds a previously defined threshold (interpreted to include "same password", P. 1-20,

Table, Col. 2, Row 4)is displayed on the user interface by display elements (interpreted to

include "Re-enter the same password", P. 1-20, Table, Col. 2, Row 4).

Regarding claim 35, Epixtech teaches an arrangement for setting up and updating an user

interface (interpreted to include "set up iPac so that your users can search", P. 1-23, Lines 15-30)

for a user (interpreted to include "sysadmin", P. 1-18, Fig.) to access information pages in a data

network (interpreted to include "IP address", P. 1-33, Table, Col. 2, Row 2), comprising: an user

interface for interacting with an user (interpreted to include "Users can use this field enter up to

100 numbers", P. 1-13); a mechanism for accessing information pages in a data network

(interpreted to include "Request" button, P. 1-12, Fig., lower right caption), wherein elements for

accessing the information pages are arranged on the user interface (interpreted to include "Add to

my list" button, P. 1-12, Fig., bottom right corner), the data network contains a portal server for

managing the user interface (interpreted to include "IP address of your iPac web server",

P. 1-17), the information pages can each be used to access (interpreted to include "Create

Report", P. 2-10, #8) a content (interpreted to include "date range", P. 2-3, Fig. lower right

caption), and the information pages are stored on a web server (interpreted to include "Use

Count", P. 2-9, Table), the data network contains a proxy server (P. 3-23, Col. 2, Row 4) which

loads the information pages accessed by the elements of the user interface from the web server

and sends them to the user (interpreted to include "Users can access My List", P. 1-15, Fig.,

Upper Right Caption), wherein the information pages have a respective content data record

stored for them on the web server (interpreted to include "Add to my list" button, Fig. 1-13,

second right most button, top 3), said content data record describing the content which can be

accessed using the respective information page (interpreted to include "3. Companion to

Shakespeare's Hamlet", P. 1-12. Fig), wherein the content data record can be accessed by the

portal server (interpreted to include "Redirecting iPac URLS to the Jetty Port", P. 1-28), wherein

the portal server stores a user data record which describes a content sought by the user

(interpreted to include "shakespeare (GO) Refine Search", Fig., P. 1-12, top center), wherein

the portal server has a comparison device which compares content data records with the user data

record to determine the degree of match (interpreted to include "the exact search you want", P. 4-

61, [1]), and wherein the portal server is designed such that information pages for which the

comparison result achieves and/or exceeds a previously defined minimum match (interpreted to

include "minimum number of Telnet connections", P. 3-25, Col. 2, Row 4) are displayed by

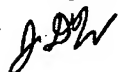elements on the user interface (interpreted to include results #1-3, Fig. P. 1-12).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joseph D. Wong whose telephone number is 571-270-1015. The

examiner can normally be reached on Mon.-Thur. 8AM - 5:30PM and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tim T. Vo can be reached on (571) 272-3642. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

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